

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2013-453395-001 DT

03/17/2014

JUDGE ROBERT E. MILES

CLERK OF THE COURT

D. Sandoval

Deputy

STATE OF ARIZONA

ADENA J ASTROWSKY

v.

JASON JOHN LITZAU (001)

DOB: 06/29/1983

RAYMOND A KIMBLE

APO-SENTENCINGS-CCC

APPEALS-CCC

DISPOSITION CLERK-CSC

RFR

SUSPENSION OF SENTENCE - PROBATION GRANTED

9:19 a.m.

State's Attorney:	Michelle Arino
Defendant's Attorney:	Raymond Kimble
Defendant:	Present
Court Reporter:	Melody O'Donnell

Count(s) 2: WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

OFFENSE: Count 2 (Amended) Aggravated Assault
Class 6 Undesignated Offense and a Domestic Violence Offense
A.R.S. § 13-604, 1203, 1204, 3601, 701, 702, 707, 801, 802
Date of Offense: 11/04/2013
Non Dangerous - Non Repetitive

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The Court is suspending imposition or execution of sentence and, under the supervision of the Adult Probation Department (APD), placing the Defendant on probation for:

Count 2 Probation Term: 3 years

To begin 03/17/2014.

Condition 6: Report to the APD within 72 hours of sentencing, absolute discharge from prison, release from incarceration, or residential treatment and continue to report as directed. Keep APD advised of progress toward case plan goals and comply with any written directive of the APD to enforce compliance with the conditions of probation. Provide DNA testing if required by law.

Condition 8 - Request and obtain written permission of the APD prior to leaving the State.

Condition 9 - May apply for Interstate Compact supervision in the state of Minnesota and will not proceed to that state until reporting instructions are received and the APD issues a written travel permit.

Condition 15: Restitution, Fines and Fees:

PROBATION SERVICE FEE: Count 2 - \$65.00 per month, beginning on a date to be determined.

FINE: Count 2 - Total amount of \$550.00, payable \$25.00 per month beginning on a date to be determined. Surcharges are waived.

PROBATION SURCHARGE: Count 2 - \$20.00 payable on on a date to be determined.

Count 2: Time payment fee pursuant to A.R.S. § 12-116 in the amount of \$20.00 payable on on a date to be determined.

INTERSTATE COMPACT APPLICATION FEE: Count 2 - \$300.00, payable in full at the time of submission of the application.

Count 2: \$50.00 to the Family Offense Assessment, payable \$25.00 per month, beginning on a date to be determined.

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Count 2: \$50.00 to the Address Confidentiality Program, payable \$25.00 per month, beginning on a date to be determined.

All amounts payable through the Clerk of the Superior Court.

The Court retains jurisdiction for any future restitution hearings.

Condition 16 - Not consume or possess any substances containing alcohol.

Condition 18 - Count 2: Be incarcerated in the county jail for 6 month(s), beginning 03/17/2014 with credit for 0 day(s) served.

Not to be released until 09/16/2014.

Report to the APD within 72 hours of release from jail. Comply with all program rules.

Condition 19: Not have any contact with the victim(s) in any form, unless approved in writing by the APD.

Condition 21 - Abide by the special conditions of probation as noted on the attachment to the Uniform Conditions of Supervised Probation as follows:

Domestic Violence

Condition 22: Other - Defendant will complete anger management counseling and substance abuse education, treatment and testing as directed by APD.

IT IS FURTHER ORDERED that Defendant shall submit to fingerprint identification processing by the Maricopa County Sheriff's Office if directed to do so by the Adult Probation Department. The Adult Probation Department shall direct any Defendant placed on probation who has not already had a State Identification Number (SID) established to submit to fingerprint processing.

Defendant is advised pursuant to A.R.S. § 13-805 that failure to maintain contact with the Probation Department may result in the issuance of:

1. A criminal restitution order in favor of the state for the unpaid balance, if any, of any fines, costs, incarceration costs, fees, surcharges or assessments imposed.

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2. A criminal restitution order in favor of each person entitled to restitution for the unpaid balance of any restitution ordered.

IT IS ORDERED granting the Motion to Dismiss the following: Counts 1, 3 and 4.

Count(s) 2: IT IS ORDERED remanding Defendant to the custody of the Maricopa County Sheriff.

IT IS ORDERED exonerating any bond previously posted in this matter to the party posting same.

9:32 a.m. Matter concludes.

This case is eFiling eligible: <http://www.clerkofcourt.maricopa.gov/efiling/default.asp>. Attorneys are encouraged to review Supreme Court Administrative Order 2011-140 to determine their mandatory participation in eFiling through AZTurboCourt.

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Defendant's right index fingerprint is permanently affixed to this sentencing order in open court.

/s/ JUDGE ROBERT E. MILES
JUDGE OF THE SUPERIOR COURT

(right index fingerprint)